

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
Philadelphia Division

IN RE: Bernadette A Davis	Case No. 25-10933-pmm Chapter 13
Nations Direct Mortgage, LLC, Movant	
vs.	
Bernadette A Davis , Debtor	

**OBJECTION TO CONFIRMATION
OF DEBTOR'S CHAPTER 13 PLAN**

Nations Direct Mortgage, LLC ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Chapter 13 Plan* (Doc 3), and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on March 7, 2025.
2. Movant holds a security interest in the Debtor's real property located at 1723 Conlyn St, Philadelphia, PA 19141 (the "Property"), by virtue of a Mortgage.
3. The Debtor filed a Chapter 13 Plan (the "Plan") on March 7, 2025 (Doc 3).
4. The Plan includes payments toward the Note and Mortgage with Movant, however the figures used by the Debtor are inaccurate. Although Movant has not yet filed its proof of claim, it is anticipated that the claim will show the pre-petition arrearage due Movant is \$8,667.48, whereas the Plan proposes to pay only \$5,772.00.
5. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§

1322(b)(3) and 1325(a)(5) and cannot be confirmed.

6. Movant objects to any plan which proposes to pay it anything less than \$8,667.48 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Andrew Spivack

Andrew Spivack, PA Bar No. 84439

Matthew Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

Jay Jones, PA Bar No. 86657

Ryan Srnik, PA Bar No. 334854

Attorney for Creditor

BROCK & SCOTT, PLLC

3825 Forrestgate Drive

Winston Salem, NC 27103

Telephone: (844) 856-6646

Facsimile: (704) 369-0760

E-Mail: PABKR@brockandscott.com

L.B.F. 9014-4

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
Philadelphia Division

IN RE: Bernadette A Davis	Case No. 25-10933-pmm Chapter 13
Nations Direct Mortgage, LLC, Movant	
vs.	
Bernadette A Davis , Debtor	

CERTIFICATE OF SERVICE

I, the undersigned, certify that on March 21, 2025, I did cause a true and correct copy of the documents described below to be served on the parties listed on the mailing list exhibit, a copy of which is attached and incorporated as if fully set forth herein, by the means indicated and to all parties registered with the Clerk to receive electronic notice via the CM/ECF system:

- OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

I certify under penalty of perjury that the above document was sent using the mode of service indicated.

Date: March 21, 2025

/s/Andrew Spivack
Andrew Spivack, PA Bar No. 84439
Matthew Fissel, PA Bar No. 314567
Mario Hanyon, PA Bar No. 203993
Ryan Starks, PA Bar No. 330002
Jay Jones, PA Bar No. 86657
Ryan Srnik, PA Bar No. 334854
Attorney for Creditor
BROCK & SCOTT, PLLC
3825 Forrestgate Drive

Winston Salem, NC 27103
Telephone: (844) 856-6646
Facsimile: (704) 369-0760
E-Mail: PABKR@brockandscott.com

Mailing List Exhibit: (Check all that apply. If via e-mail, include e-mail address. Continue to the next page if necessary.)

Michael A Cibik, Debtor's Attorney
1500 Walnut Street
Suite 900
Philadelphia, PA 19102
help@cibiklaw.com
Debtor's Attorney

Via: ☒ CM/ECF ☐ 1st Class Mail ☐ Certified Mail ☐ e-mail:
☐ Other:

KENNETH E WEST,
190 N. Independence Mall West
Suite 701
Philadelphia, PA 19106
Bankruptcy Trustee

Via: ☒ CM/ECF ☐ 1st Class Mail ☐ Certified Mail ☐ e-mail:
☐ Other:

Office of United States Trustee
Robert N.C. Nix Federal Building
900 Market Street Suite 320
Philadelphia, PA 19107
US Trustee

Via: ☒ CM/ECF ☐ 1st Class Mail ☐ Certified Mail ☐ e-mail:
☐ Other:

Bernadette A Davis
1723 Conlyn St
Philadelphia, PA 19141-1831
Debtor

Via: ☐ CM/ECF ☒ 1st Class Mail ☐ Certified Mail ☐ e-mail:
☐ Other: